II.   Remarks

Claims 1, 8, 16, 17, 19, 20, 22, 25, 27, 28, 31, 33, 34, 36, 37, 39, 42-44, 50, 51, 53, 54, 56, 61, 68-71 are currently pending in this application. No claims have been cancelled, withdrawn, or added by the present Amendment. Claims 1, 17, 27, 28, 31, 36, 3, 39, and 42 have been amended to further clarify and claim the invention. Applicants respectfully submit that no new matter is presented by this amendment.

A.   Rejections

Claims 1, 8, 16, 17, 19, 20, 22, 25, 27, 28, 31, 33, 34, 36, 37, 39, 42-44, 50, 51, 53, 54, 56, 61, and 68-71 (the "Pending Claims") were rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over U.S. Patent No. 5,903,633 to Lorsch ("Lorsch") in view of U.S. Patent No. 6,381,631 to Van Hoff ("Van Hoff"). Applicant respectfully traverses this rejection.

1.   *Lorsch*

As previously discussed, Lorsch is directed generally to a method and apparatus for prepaid phone card activation and billing. Its relevant portions disclose a centralized computer that stores "location data from the point of sale terminal to determine whether the person attempting to activate is indeed authorized to do so." Lorsch, 7:30-32. This "is determined [by] whether the transmission from the point of sale terminal is coming from a client who is identified by the control code on the card." Lorsch, 7:33-36. "[W]hen retailers contract to use the system, they will be able to provide a list of telephone numbers that support their point of sale terminals." Lorsch, 7:44-45. During activation, the system "read[s] the telephone number of the point of sale terminal initiating the transaction. If this telephone is not already 'registered' in the database as being a valid number belonging to that retailer, the system may then deny the activation." Lorsch, 7:49-53.

Accordingly, Lorsch relies solely upon the telephone number of the point of sale terminal; it does not make any determinations regarding the communications system over which the request arrived.

2.   *Van Hoff*

Van Hoff is generally directed to a process for authenticating a user and/or a network. Either (i) a network must be authenticated before a user can connect; or (ii) a user must be authenticated before the user can connect to the network. Van Hoff, *e.g.*, 8:49-57; 11:4-37. With regards to authenticating networks, Van Hoff teaches maintaining a list of "trusted networks" that are periodically "updated." Van Hoff, 8:50-57; 9:10-12. With regards to user authentication, a user is authenticated using various types of digital certificates. Van Hoff, 11:15-37.

3.   *Independent Claims 1, 31, and 42*

Independent claim 1 recites, *inter alia*, a method including the steps of "identifiers of trusted sources for making specific processing requests for stored value cards, the trusted sources comprising trusted merchant locations and trusted communication network for carrying or transmitting stored-value card processing requests," "determining at the central processor whether the received associated identifier is stored in the database as a trusted source for making the specific processing request for the specific stored value card," "responsive to a determination that the identifier is stored in the database as a trusted source for making the specific processing request for the specific stored value card performing the specific processing request for the specific stored value card."

Similarly, independent claim 31 recites "determining at the central processor whether the specific processing request is authorized by: if an identifier of the merchant location is received, determining whether the requesting merchant location is identified in the database as a trusted source for making the specific processing request for the specific stored value card and, if so identified performing the specific processing request for the specific stored value card and if an identifier of the communications network over which the request is sent is received, determining whether the first communications network is identified in the database as a trusted communications network for making the specific processing request for the specific stored value card and, if so identified performing the specific processing request for the specific stored value card and capturing an identifier of the requesting merchant location and adding the identifier to

the database as a trusted source for specific processing requests for specific stored value cards, if not already stored."

Similarly, independent claim 42 recites "process a request from a respective requesting merchant terminal to the central processor, the central processor configured to perform the request based on whether the request originated from a trusted source and/or whether the identifier of the first communications network over which the request was transmitted or carried is identified in the database as an identifier of a trusted communications network; and responsive to a determination that the first communications network is a trusted communications network, capturing the identifier from the requesting merchant terminal and add the captured identifier to the database if not already stored."

4. *Lorsch In View of Van Hoff Does Not Disclose, Teach, or Suggest Independent Claims 1, 31, and 42*

Lorsch does not disclose, teach or suggest independent claims 1, 31, or 42. Lorsch relies upon the identifying telephone number of the point of sale terminal <u>only</u>. Lorsch keeps no database records, and makes no determinations, regarding the communications networks over which the request is carried. The Office asserts that since transactions conducted using the Lorsch system are conducted over a closed, private, network -- and is therefore trusted -- that the step of determining if the network is trusted is implied. Applicants respectfully disagree. A system limited to a single device does not, by its nature, contemplate selecting or authorizing that single device in light of others. By its very limited nature, Lorsch **cannot** imply the recited step. Moreover, it can even be said that by limiting the system to a single network, Lorsch **teaches away** from the present invention.

The Office understood these limitations in Lorsch, acknowledging in the Office Action that Van Hoff provides many of the missing elements. Office Action, pp. 3-4.

However, <u>Van Hoff does not cure the deficiencies of Lorsch</u>. With regard to claim 1 Van Hoff fails to teach, at least, the claimed steps of identifiers of trusted sources for making specific processing requests for stored value cards, the trusted sources comprising trusted merchant locations and trusted communication network for carrying or transmitting stored-value card processing requests," "determining at the central processor whether the received associated identifier is stored in the database as a trusted source for making the specific processing request

for the specific stored value card," "responsive to a determination that the identifier is stored in the database as a trusted source for making the specific processing request for the specific stored value card performing the specific processing request for the specific stored value card."

With regard to claim 31 Van Hoff fails to teach, at least the steps of "determining at the central processor whether the specific processing request is authorized by: if an identifier of the merchant location is received, determining whether the requesting merchant location is identified in the database as a trusted source for making the specific processing request for the specific stored value card and, if so identified performing the specific processing request for the specific stored value card and if an identifier of the communications network over which the request is sent is received, determining whether the first communications network is identified in the database as a trusted communications network for making the specific processing request for the specific stored value card and, if so identified performing the specific processing request for the specific stored value card and capturing an identifier of the requesting merchant location and adding the identifier to the database as a trusted source for specific processing requests for specific stored value cards, if not already stored."

With regard to claim 42 Van Hoff fails to teach, at least, specifically, the step of "responsive to a determination that the first communications network over which the request was received is a trusted communications network, capturing the requesting terminal identifier and adding the terminal identifier to the database if not already stored."

It appears that the Office implicitly recognized the failure of Van Hoff to disclose, suggest, or teach these elements, since the Office failed to specifically address these elements in the Office Action. The Office did not recognize the claimed relationship between the trusted communications network and terminal identifier. Neither Lorsch nor Van Hoff disclose, teach, or suggest these claim elements.

Accordingly, Applicants respectfully request that the rejection of independent claims 1, 31, and 42 under 35 U.S.C. § 103(a) as being allegedly unpatentable over Lorsch in view of Van Hoff be withdrawn.

5.   *Dependent Claims 8, 16, 17, 19, 20, 22, 25, 27, 28, 33, 34, 36, 37, 39, 43-44, 50,*
      51, 53, 54, 56, 61, and 68-71

Claims 8, 16, 17, 19, 20, 22, 25, 27, 28, 61, and 68-71 are dependent on claim 1, which has been shown above to be patentable over the cited references. As these dependent claims incorporate the limitations of the independent claim on which they depend, Applicants respectfully request that the rejection of claims 8, 16, 17, 19, 20, 22, 25, 27, 28, 61, and 68-71 under 35 U.S.C. § 103(a) as being allegedly unpatentable over Lorsch in view of Van Hoff be withdrawn.

Claims 33, 34, 36, 37, and 39 are dependent on claim 31, which has been shown above to be patentable over the cited references. As these dependent claims incorporate the limitations of the independent claim on which they depend, Applicants respectfully request that the rejection of claims 33, 34, 36, 37, and 39 under 35 U.S.C. § 103(a) as being allegedly unpatentable over Lorsch in view of Van Hoff be withdrawn.

Claims 43-44, 50, 51, 53, 54, and 56 are dependent on claim 42, which has been shown above to be patentable over the cited references. As these dependent claims incorporate the limitations of the independent claim on which they depend, Applicants respectfully request that the rejection of claims 43-44, 50, 51, 53, 54, and 56 under 35 U.S.C. § 103(a) as being allegedly unpatentable over Lorsch in view of Van Hoff be withdrawn.
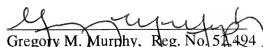
C.   **Conclusion**

For at least the reasons set forth above, the Applicants respectfully submit that claims 1, 8, 16, 17, 19, 20, 22, 25, 27, 28, 31, 33, 34, 36, 37, 39, 42-44, 50, 51, 53, 54, 56, 61, 68-71 are in condition for allowance. The Applicants request that the present Amendment be entered and the application be found allowable.

Should the Examiner believe anything further is desirable in order to place the application in even better condition for allowance, the Examiner is invited to contact the Applicant's undersigned representative.

Respectfully submitted,

Dated: November 23, 2009

Gregory M. Murphy, Reg. No. 52,494
Shayne E. O'Reilly, Reg. No. 58,765
Attorneys for Applicant
Telephone: (804) 788-7365
Facsimile: (804) 343-4912

Please Direct all Correspondence to:
J. Michael Martinez de Andino, Esq.
Hunton & Williams LLP
Riverfront Plaza, East Tower
951 East Byrd Street
Richmond, Virginia 23219-4074